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Federal Agencies

September 20, 2002

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Commissioner for Patents
Washington, D.C. 20231

Group Art Unit 1645

Re: U.S. Patent Application
Appl. No. 10/067,974; Filed: February 8, 2002
For: **Polynucleotide Constructs for Increased Lysine Production**
Inventors: Li *et al.*
Our Ref: 1533.2640001/MAC/M-G

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Information Disclosure Statement;
2. Form PTO-1449 (1 sheet);
3. Copy of five (5) cited documents (AA1, AL1, AR1, AS1, and AT1);
and
4. One (1) return post card.

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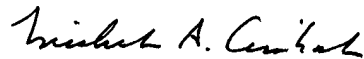
It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
September 20, 2002
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Michele A. Cimbala
Attorney for Applicants
Registration No. 33,851

Enclosures

SKGF_DC1:57682.1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Li *et al.*

Appl. No. 10/067,974

Filed: February 8, 2002

For: **Polynucleotide Constructs for
Increased Lysine Production**

Confirmation No. 3799

Art Unit: 1645

Examiner: *To Be Assigned*

Atty. Docket: 1533.2640001/MAC/M-G

Information Disclosure Statement

Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. A copy of each document is provided.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

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This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

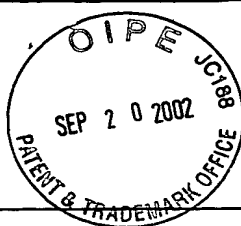
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Date: Sept. 20, 2002

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FORM PTO-1449

INFORMATION DISCLOSURE STATEMENTATTY. DOCKET NO.
1533.2640001/MAC/M-GAPPLICATION NO.
10/067,974APPLICANT
Li et al.FILING DATE
February 8, 2002GROUP
1645

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA1	6,040,160	03/21/2000	Kojima et al.			05/29/1996
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION
	AL1	WO 01/49854 A2	07/12/2001	WIPO			Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>1</u>	Cremer, J., et al., "Control of the Lysine Biosynthesis Sequence in <i>Corynebacterium glutamicum</i> as Analyzed by Overexpression of the Individual Corresponding Genes," Appl. Environ. Microbiol. 57:1746-1752, American Society for Microbiology (1991)
	AS	<u>1</u>	Malumbres, M., and Martin, J.F., "Molecular control mechanisms of lysine and threonine biosynthesis in amino acid-producing corynebacteria: Redirecting carbon flow," FEMS Lett. 143:103-114, Elsevier Science B.V. (1996)
	AT	<u>1</u>	Marcel, T., et al., "Nucleotide sequence and organization of the upstream region of the <i>Corynebacterium glutamicum</i> lysA gene," Mol. Microbiol. 4:1819-1830, Blackwell Scientific Publications (1990)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.